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LETTER DATED 7 MAY 1998 FROM THE PERMANENT REPRESENTATIVE OF KENYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward herewith, for your information, a copy of a communiqué issued by the Intergovernmental Authority on Development (IGAD) Ministerial Subcommittee, which met on the conflict in southern Sudan in Nairobi from 4 to 6 May 1998 (see annex).

I would be obliged if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Njuguna M. MAHUGU, OGW
Ambassador
Permanent Representative

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Annex

Communiqué issued in Nairobi on 6 May 1998 by the Ministerial Subcommittee of the Intergovernmental Authority on Development

1. At the invitation of the Government of Kenya, Ato Seyoum Mesfin, Minister for Foreign Affairs of Ethiopia, Ato Haile Weldensae, Minister for Foreign Affairs of Eritrea and the Hon. Rebecca Kadaga, Minister of State for Foreign Affairs/Regional Cooperation of Uganda, met in Nairobi from 4 to 6 May 1998, under the chairmanship of the Hon. Dr. Bonaya Godana, Minister for Foreign Affairs of Kenya.

2. Also participating were Ambassador Ahmed Issa Gabobeh, representing the current Chairman of IGAD, and Dr. Kinfe Abraham, Director, Political and Humanitarian Affairs, of IGAD.

3. The delegation of the Government of the Sudan was led by Dr. Mustafa Osman, Minister for Foreign Affairs, while the delegation of the Sudanese People's Liberation Movement/Army (SPLM/A) was led by Commander Nhial Deng Nhial, Governor of Bahr el Ghazal.

4. The Subcommittee expressed profound appreciation for the agreement by the parties to the conflict to facilitate the free and unimpeded flow of humanitarian assistance to all areas affected by the famine in South Sudan. Without prejudice to that commitment, the Government of the Sudan offered a ceasefire and immediate cessation of hostilities and expects the other party to reciprocate and to facilitate further the unhindered flow of relief supplies. The SPLM/A is of the opinion that unhindered relief assistance to the needy should not be linked to a ceasefire and believes that a ceasefire, which it welcomes in principle, should be negotiated separately as per the Declaration of Principles. The Subcommittee also appeals to the international community to enlarge its humanitarian and relief assistance to mitigate the suffering of the famine-afflicted population of the Sudan.

5. The Subcommittee underlined the importance of the continued commitment of the Government of the Sudan and SPLM/A to the IGAD peace process based on the Declaration of Principles. The Subcommittee also welcomed the commitment of the Government of the Sudan and SPLM/A to continue to seek a negotiated settlement to the conflict in South Sudan within the IGAD framework.

6. The Subcommittee welcomed the agreement of the Government of the Sudan and SPLM/A on the recognition of the right of self-determination for the people of South Sudan, to be exercised through an internationally supervised referendum at the end of an interim period. The interim arrangement is to be negotiated and agreed upon by the two parties through the IGAD peace process. The people of South Sudan will determine their political destiny on two options, namely, unity or outright secession. However, the Subcommittee noted that the definition of the Government of the Sudan of the meaning of South Sudan encompasses the three provinces of Bahr el Ghazal, Equatoria and Upper Nile as recognized at independence in January 1956, while for the SPLM/A the right of self-determination is an inalienable democratic human and peoples right, which should

be exercised by the people of those areas plus Abyei, Southern Kordofan and Southern Blue Nile. These differences will be the subject of negotiation in the future.

7. On the question of State and religion, the Subcommittee regrets that the parties have been unable to reach a common ground, but welcomes their declared commitment to continue searching for an agreement.

8. The Subcommittee welcomed the supportive role of the IGAD Partners Forum and the international community to the IGAD peace process on South Sudan and urged them to continue to encourage the parties to the conflict to reach a peaceful settlement.

9. The Subcommittee underlined the importance of the mechanism of shuttle diplomacy as a means of narrowing the gap on outstanding issues and recommended its continuation.

10. The Subcommittee noted the complexity of the problem and the need to keep the peace dialogue between the parties to the conflict alive through all means possible, including renewed cycles of consultations. The parties to the conflict agreed to convene the third session of the peace negotiations in three months' time in Addis Ababa.

11. The Subcommittee expressed its appreciation to the Government and people of Kenya for hosting the peace talks and for the warm welcome and hospitality accorded to the delegations.